

Freedom of Information Act 2000

Definition document for elected local policing bodies

This guidance is written for elected local policing bodies. It gives examples of the kinds of information that the ICO expects elected local policing bodies in England and Wales (Police and Crime Commissioners and the Mayor's Office for Policing and Crime) to provide in order to meet your commitments under the model publication scheme. Where Police and Crime Commissioners (PCC) is referred to, this should be taken to include the Mayor's Office for Policing and Crime.

Where the PCC is also the fire and rescue authority you should read the definition document for [joint authorities](#) and consider whether additional information should be published in respect of those responsibilities.

The ICO expects you to make this information in this definition document available unless:

- you do not hold the information;
- the information is exempt under one of the Freedom of Information Act 2000 (FOIA) exemptions, or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited under another statute (eg UK GDPR);
- the information is readily and publicly available from an external website. Such information may have been provided either by you or on your behalf. You must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or,
- it would be impractical or resource-intensive to prepare the material for routine release.

If the information is held by another public authority, you should provide details of where to obtain it.

The guidance is not meant to give an exhaustive or definitive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and you should look to

provide as much information as possible on a routine basis, which must include all information that is required by statute.

Publishing datasets for re-use

As a public authority, you must publish under your publication scheme any dataset you hold that has been requested, together with any updated versions, unless you are satisfied that it is not appropriate to do so. So far as reasonably practicable, you must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and you are the only owner, you must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The [2018 Section 45 Code of Practice](#) recommends that public authorities make datasets available for re-use under the [Open Government Licence](#).

The term “dataset” is defined in section 11(5) of FOIA. The terms “relevant copyright work” and “specified licence” are defined in section 19(8) of FOIA. The ICO has published guidance on [Datasets \(sections 11, 19 and 45\)](#). This explains what is meant by “not appropriate” and “capable of re-use”.

Model publication scheme

The table below identifies the specific information the ICO expects you to publish under each of the seven classes of information set out in the [model publication scheme](#).

Class 1 - Who we are and what we do

Organisational information, structures, locations and contacts.

Information in this class should only be current information unless stated otherwise.

- **Roles and responsibilities**

Provide outline and detailed information about your roles and responsibilities.

- **Structure of the elected local policing body (ELPB)**

Names and profiles of the Police and Crime Commissioner and deputy Police and Crime Commissioner. Identity of officers of the ELPB and

senior staff. Details of internal boards or committees and names of those who sit on them. In relation to officers, senior staff and members of internal boards or committees, names may be withheld if there is a legitimate reason.

- **Staff structure of the ELPB**

Basic staff structure, such as organisational structure, and other details indicating your administrative support.

- **Gender pay gap reporting**

Read the Government's guidance on the [gender pay gap reporting](#) to find out what information you need to publish. Publish this data annually if you have a head count of 250 staff or more.

- **Contact information**

Provide your postal and email address. If possible, provide named contacts including contact phone numbers and email addresses.

- **Geographical area of operation**

- **General outline of responsibilities**

- **Appointment of independent custody visitors and associated arrangements**

- **Relationships with other bodies**

Partnership arrangements, or other joint arrangements, with statutory and non-statutory partners and relationships with other key bodies.

Class 2 - What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.

As a minimum, make financial information for the current and previous two financial years available.

If you allocate money to specific cost centres and this information helps to explain how public money is spent, consider publishing it.

- **The budget of the ELPB (including the total amount allocated to the police force)**

- **Annual statement of the ELPB's accounts**
- **Policing precept or information on other sources of income, including grants**
- **Annual investment strategy**
- **Expenditure**

Details of items of expenditure over £500, including costs, supplier and transaction information (monthly).

- **Details of contracts currently being tendered**
- **Contracts**

Contracts and invitations to tender that exceed £10,000. A list of contracts under £10,000 including the value of the contract, the identity of the parties and the purpose of the contract.

- **Expenses and allowances paid to or incurred by the ELPB and senior employed staff**

Details of the allowances and expenses that can be claimed or incurred, including the total of the allowances and expenses incurred by or paid to the PCC and individual senior staff, by reference to categories. Produce these categories in line with your policies, practices and procedures, under headings like travel, subsistence and accommodation.

- **Pay and grading structure**

You can provide this as part of the organisational structure. As a minimum, include senior staff salaries in bands of £5,000. For all other posts, identify levels of pay by salary ranges.

- **TU facility time reporting**

Read the government guidance on reporting [trade union facility time](#) to find out what information you need to publish. You need to publish this information once a year.

- **Procurement procedures**

Details of procedures for acquiring goods and services and contracts available for public tender.

- **Annual audit letter**
- **Financial audit reports**
- **Internal financial regulations and delegated authority**

Class 3 - What our priorities are and how we are doing

Strategies and plans, performance indicators, audits, inspections and reviews.

Publish all relevant information in this class for the current and previous two years at least.

Below is a list of the type of information you should have readily available for publication. In general, include any other reports or recorded information showing your planned or actual performance.

- **Police and crime plan or other strategic plan or local policing objectives set for the police force**
- **Annual report**

This will comprise the report on the exercise of your functions and the progress made in meeting the objectives in the police and crime plan.

- **Reports presented to the ELPB indicating service provision, performance assessments and operational assessments of the police force**
- **Information on the performance of the ELPB**
- **Reports by external inspectors and auditors**

Including responses to Her Majesty's Inspectorate of Constabulary about inspection reports on the police force.

- **Statistical information provided to you**
- **Data protection impact assessments (in full or summary format) or any other impact assessments (eg health and safety impact assessments, equality impact assessments), as appropriate and relevant**

Class 4 - How we make decisions

Decision making processes and records of decisions.

Make information in this class available for the current and previous two years at least.

- **Schedule of meetings open to the public**
- **Agendas and approved minutes of each public meeting and any other decision-making meetings**
- **Background papers for meetings open to the public**
- **Records of important decisions**

Provide records of decisions arising from the exercise of your functions made at meetings or elsewhere.

- **Procedures, facts and analyses of facts used for decision making**
- **Public consultations**

Provide details of consultation exercises and access to the consultation papers or information about where to obtain the papers. Include the results of consultation exercises.

- **Internal communications guidance, criteria used for decision-making, internal instructions and manuals and guidelines**

If access to internal instructions, manuals and guidelines for dealing with your business would help the public understand how decisions are made, then make these readily available. However, you do not need to reveal information in cases where disclosure might damage your operations.

Class 5 - Our policies and procedures

Current written protocols, policies and procedures for delivering our services and responsibilities.

Information in this class should only be current information.

- **Policies and procedures for the conduct of the ELPB's business**

Include standing orders, delegated powers, corporate governance, consent or governance framework, code of conduct, memoranda of understanding and similar information.

- **Policies and procedures for the provision of services**

Include any policies and procedures for handling requests for information.

- **Policies and procedures for procurement and commissioning arrangements**

- **Policies and procedures for recruiting and employing staff**

Details of the policies in place if you employ your own staff, or if you share staff with another body (for example, a police force). Where staff are employed through another body, reference to the policies of that body. If you advertise vacancies as part of recruitment policies, details of current vacancies will be readily available.

A number of policies will cover both the provision of services and the employment of staff, for example equality and diversity, health and safety and conduct. If you have an equality scheme, you should make this available. A policy for outside business interests of senior employees and staff would be both a policy for the conduct of business and an employment policy.

Where you develop procedures in combination with other public authorities, you should also make these available.

- **Customer service and complaints policies and procedures**

Include standards for providing services to your customers, including procedures for handling complaints against the Chief Constable and the police force as well as complaints against the policing body, and covering requests for information and operating the publication scheme.

- **Records management and personal data policies**

Include information on security policies, records retention, destruction and archive policies, and data protection (including data sharing and CCTV usage) policies.

- **File plans (high level, for current records management systems)**
- **Charging regimes and policies**

Provide details of any statutory charging regimes. Charging policies should include charges made for information you routinely publish. They should clearly state what costs you are recovering, the basis on which you make them, and how you calculate them.

If you charge a fee for licensing the re-use of datasets, state in your guide to information how you calculate this and whether you make the charge under the Re-use Fees Regulations or under other legislation. You cannot charge a re-use fee if you make the datasets available for re-use under the Open Government Licence.

Class 6 - Lists and registers

Information in this class should only be information in currently maintained lists and registers.

- **Public registers and registers held as public records**

If you are required to maintain any register and make the information in it available for public inspection, the existing provisions covering access will usually be adequate. However, publicise which public registers you hold and how you make the information in them available to the public. Where registers contain personal information, ensure that they consider the data protection principles.

- **Asset registers and information asset register**

You do not need to publish all details from all asset registers. However, the ICO expects the location of public land and building assets and key attribute information that is normally recorded on an asset register to be available along with some other information from capital asset registers. If you have prepared an information asset register for the Re-use of Public Sector Information Regulations 2015, publish the contents.

- **CCTV**

Details of the locations of any overt CCTV surveillance cameras operated by you or on your behalf. You should decide on the level of detail which is appropriate. This could be by building or more general geographic

locations, eg postcodes or partial postcodes, depending on the security issues raised.

- **Disclosure logs**

If you produce a disclosure log indicating the information provided in response to FOIA and EIR requests, make it readily available. Disclosure logs are recommended as good practice.

- **Registers of interests**

Register of any interests which might conflict with the role of the PCC and deputy PCC, including every other pecuniary interest or other paid positions that they hold.

- **Register of gifts and hospitality (senior personnel)**

Include details of gifts given or received, and details of any hospitality afforded and by which organisation. Gifts and hospitality declined should also be included.

Class 7 - The services we offer

Information about the services the ELPB provides including leaflets, guidance and newsletters.

Generally, this is an extension of part of the first class of information. While the first class provides information on roles and responsibilities, this class includes details of the services you provide, internationally, nationally and locally as a result of them.

For example, it will benefit the public to have ready access to information about the services you provide. The starting point would normally be a list or lists of the services you are responsible for, linked to details of these services.

- **Regulatory responsibilities**
- **Information about any services provided by the ELPB**
- **Services for which ELPB is entitled to recover a fee, together with those fees**
- **Leaflets, booklets and newsletters**

- **Advice and guidance**
- **Media releases**